

## United States Department of Agriculture,

### OFFICE OF THE SECRETARY.

---

#### NOTICE OF JUDGMENT NO. 810, FOOD AND DRUGS ACT.

---

##### MISBRANDING OF "SUGAROTA" HORSE, SHEEP, AND DAIRY FEEDS.

On or about December 21, 1908, the North West Mills Company, a corporation, Winona, Minn., shipped from the State of Minnesota to the State of Kentucky consignments of two food products, one of which was labeled: "100 pounds. Guaranteed. Serial No. 17,421. Sugarota Horse Feed—protein 12 per cent, fat 3.5 per cent, carbohydrates 56 per cent; North West Mills Co., Winona, Minn. Made from flax bran; malt sprouts; cottonseed meal; gluten feed; brewer's grains; grain screenings 15 per cent; hominy feed; linseed meal; and molasses."; and the other of which was labeled: "100 pounds. Guaranteed. Serial No. 17421. Sugarota Sheep Feed. Protein 17 per cent, fat 4.5 per cent, carbohydrates 50 per cent. North West Mills Co., Winona, Minn. Made from cottonseed meal; flax bran; linseed meal; malt sprouts; mill feeds; and molasses."; and on or about July 28, 1909, said company shipped from the State of Minnesota to the State of Maine a quantity of a food product labeled: "100 pounds purity and weight. Guaranteed under the National Food and Drugs Act, 1906. Serial 11421. Sugarota Dairy Feed. Protein 18 per cent; fat 4.5 per cent; carbohydrates 50 per cent. North West Mills Co., Winona, Minnesota." Samples from the above three products were produced and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and the first of said products was found to contain moisture 10.13 per cent, protein 15.79 per cent, fat 7.75 per cent, invert sugar 2.83 per cent, sucrose 2.39 per cent, and to consist of only flax bran, linseed meal, cottonseed meal, screenings, and some wheat tissues; the second of said products was found to contain moisture 11.19 per cent, protein 17.32 per cent, fat 6.46 per cent, invert sugar 3.88 per cent, sucrose 2.49 per cent, and to consist largely of weed seeds and of a small amount of cereal tissues, chaff, etc., resembling screenings; of flax bran, with a very small amount of

linseed and cottonseed meal, and a total absence of malt sprouts; and the third of said products was found to contain about 15.41 per cent of protein. As the findings of the analyst and report made indicated that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded the said North West Mills Company and the parties from whom the samples were procured opportunities for hearings. As it appeared after hearings held that the said shipments were made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General with a statement of the evidence upon which to base a prosecution.

On November 15, 1910, a criminal information was filed in the District Court of the United States for the District of Minnesota against the said North West Mills Company, charging, in three counts, the above shipments and alleging that the first of said products was misbranded in that it was labeled as above set forth, and did not contain malt sprouts, brewer's grains, hominy feed, as set forth in said label; that the second of said products was misbranded in that it was labeled as above set forth and did not contain malt sprouts, and in that the label in question pretended and purported to consist of the ingredients and substances contained in said article of food, when, in truth and in fact, said label did not state that said article of food contained a quantity of weed seeds which it actually did contain; and alleging that the third of said products was misbranded in that it was labeled as above set forth, when in truth and in fact, it did not contain 18 per cent of protein, as stated in said label, but contained a much less quantity, to wit, 15.41 per cent.

Upon arraignment the defendant entered a plea of guilty to the above three counts by D. B. Fraser, its secretary and manager, whereupon the court imposed a fine of \$50 each on the first and second counts and a fine of \$25 on the third count.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *March 15, 1911.*